

**ROSEBUD SIOUX TRIBAL COUNCIL
MEETING MINUTES
DECEMBER 02, 2003**

Chairman Charles Colombe called the recessed meeting to order at 10:10 a.m. Roll call was taken with fifteen (15) council representatives answering thereby constituting a quorum. They were as follows:

Darrell Herman	Steve Denoyer Jr.	Heather Burnette
Wayne Boyd	Jo Colombe	Darrell Marcus
Rick Young	Willard Henry	Darlene Metcalf
Marion Young One Star	Robert Becker	Robert Shot
Rodney Bordeaux	Ken LaDeaux	Russell Eagle Bear

Council representatives entering after roll call:

Patsy Valandra	Lenard Wright	Glen Quick Bear
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Council representatives who were absent:

Eddie Farmer	Cliff Chasing Hawk
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Other officers present: Vice Chairman Norman Wilson, Secretary Gerri Night Pipe, Treasurer James Wike and Sergeant At Arms Glen Yellow Eagle.

INVOCATION – Russell Eagle Bear gave the invocation.

BUDGET & FINANCE COMMITTEE – Motion by Ken LaDeaux to present Resolution 2003-285 as emergency legislation. Seconded by Steve Denoyer Jr. Questioned by Darrell Marcus. Vote: 15 for, 0 opposed, 0 not voting. **MOTION CARRIED**

Motion by Ken LaDeaux to approve Resolution 2003-285 as emergency legislation. Seconded by Steve Denoyer Jr. Questioned by Darrell Marcus. Vote: 15 for, 0 opposed, 0 not voting. **MOTION CARRIED**

Motion by Ken LaDeaux to approve Resolution 2003-285 for the submission of an application for the Juvenile Justice Grant. Seconded by Rick Young. Questioned by Heather Burnette. Vote: 15 for, 0 opposed, 02 not voting. **MOTION CARRIED**

Motion by Ken LaDeaux to present Resolution 2003-286 as emergency legislation. Seconded by Rodney Bordeaux. Questioned by Patsy Valandra. Vote: 16 for, 0 opposed, 01 not voting. **MOTION CARRIED**

Motion by Rick Young to approve Resolution 2003-286 to to approve the expenditures for the RST Water Resources Program for the Water Resources Summit and discretionary buget. Seconded by Willard Henry. Questioned by Heather Burnette. Vote: 17 for, 0 opposed, 0 not voting. **MOTION CARRIED**

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Motion by Ken LaDeaux to present Resolution 2003-287 as emergency legislation. Seconded by Jo Colombe. Questioned by Wayne Boyd. Vote: 15 for, 0 opposed, 02 not voting. MOTION CARRIED

Motion by Ken LaDeaux to approve Resolution 2003-287 for the purchase of six fully equipped police vehicles for the Law Enforcement Services Program. Seconded by Wayne Boyd. Questioned by Steve Denoyer Jr. Vote: 16 for, 0 opposed, 01 not voting. MOTION CARRIED

Motion by Ken LaDeaux to present Resolution 2003-288 as emergency legislation. Seconded by Steve Denoyer Jr. Questioned by Willard Henry. Vote: 15 for, 0 opposed, 02 not voting. MOTION CARRIED

Motion by Jo Colombe to approve Resolution 2002-288 for the purchase of 10 computers for the Law Enforcement Service Program. Seconded by Lenard Wright. Questioned by Rick Young. Vote: 16 for, 0 opposed, 01 not voting. MOTION CARRIED

The council discussed the proposed agreement between the Rosebud Sioux Tribe and Grinning Bear Refuse for an option to buy. Also discussed was the solid waste problem on the reservation and the concerns of the communities regarding the problem of trash collection services not being delivered; and who is responsible for these services.

Motion by Ken LaDeaux to table the agreement until all the details are taken care of with the Chairman's office and all associated parties and be brought back in two weeks. Seconded by Steve Denoyer Jr. Questioned by Willard Henry. Vote: 13 for, 01 opposed, 03 not voting. MOTION CARRIED

LUNCH BREAK AT 12:45 PM/BACK INTO SESSION AT 2:00 PM

LAND & NATURAL RESOURCES COMMITTEE – Motion by Russell Eagle Bear to present Resolution 2003-289 as emergency legislation. Seconded by Jo Colombe. Questioned by Rick Young. Vote: 16 for, 0 opposed, 01 not voting. MOTION CARRIED

Motion by Russell Eagle Bear to approve Resolution 2003-289 for a change order for Grooms Well Drilling on two production wells at the Casino Village site. Seconded by Jo Colombe. Questioned by Rick Young. Vote: 15 for, 0 opposed, 02 not voting. MOTION CARRIED

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Motion by Russell Eagle Bear to present Resolution 2003-290 as emergency legislation. Seconded by Jo Colombe. Questioned by Steve Denoyer Jr. Vote: 16 for, 0 opposed, 01 not voting. MOTION CARRIED

Motion by Russell Eagle Bear to adopt Resolution 2003-290 to approve the amended change order (to not delete the Pork Production Facility) for In Control, Inc. for SCADA (water monitoring). Seconded by Jo Colombe. Questioned by Heather Burnette. Vote: 17 for, 0 opposed, 0 not voting. MOTION CARRIED

Motion by Russell Eagle Bear to reconsider Resolution 2003-81. Seconded by Jo Colombe. Questioned by Steve Denoyer Jr. Vote: 17 for, 0 opposed, 0 not voting. MOTION CARRIED

Motion by Russell Eagle Bear to approve Resolution 2003-81 to amend the Prairie Management Plan by adding a Be It Further Resolved, "that the Rosebud Sioux Tribal Council hereby requests the US Fish & Wildlife Service to immediately transfer the \$500,000.00 of funding for FY 2004 from the USFWS account to the Rosebud Sioux Tribe Black Footed Ferret Project Account, which upon receipt will fulfill the requirements of the Rosebud Sioux Tribe Prairie Management Program for FY 2004." Seconded by Jo Colombe. Questioned by Steve Denoyer Jr. Vote: 13 for, 03 opposed, 01 not voting. MOTION CARRIED

Motion by Russell Eagle Bear to present Resolution 2003-291 as emergency legislation. Seconded by Jo Colombe. Questioned by Heather Burnette. Vote: 17 for, 0 opposed, 0 not voting. MOTION CARRIED

Motion by Jo Colombe to approve Resolution 2003-291 to support the effort of the Tribe to add value to its lands and to provide for economic development and jobs for its members. Seconded by Willard Henry. Questioned by Heather Burnette. Vote: 16 for, 0 opposed, 01 not voting. MOTION CARRIED

JUDICIARY COMMITTEE – Motion by Rick Young to present Resolution 2003-292 as emergency legislation. Seconded by Heather Burnette. Questioned by Steve Denoyer Jr. Vote: 16 for, 0 opposed, 01 not voting. MOTION CARRIED

Motion by Rick Young to approve Resolution 2003-292 to direct the administering of ~~license~~^{life} of Transitional Living Center/Group Homes to the Tribal Attorney. Seconded by Patsy Valandra. Questioned by Heather Burnette. Vote: 17 for, 0 opposed, 0 not voting. MOTION CARRIED

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Motion by Steve Denoyer Jr. to present Resolution 2003-293 as emergency legislation. Seconded by Rick Young. Questioned by Willard Henry. Vote: 12 for, 0 opposed, 05 not voting. MOTION CARRIED

Motion by Steve Denoyer Jr. to approve Resolution 2002-293 which approves the Dakota Plains Legal Services engagement letter to utilize DPLS as the temporary public defender. Seconded by Rodney Bordeaux. Questioned by Jo Colombe. Vote: 11 for, 0 opposed, 06 not voting. MOTION CARRIED

TREATY COUNCIL – Janet Thompson, Treaty Office Secretary gave a background of the Treaty Office and their budget. She distributed binders to the council containing copies of the treaties and information pertaining to them. Discussion was held on the treaties, training and vacancies of the Treaty Council.

Motion by Rick Young that we establish a date, time and place and work with SGU during the Founders Day Week to have a review and recording of the treaties and at that time name two council members and to fill any vacancies for the at large positions on the Treaty Council. Seconded by Willard Henry. Questioned by Darrell Marcus. Vote: 15 for, 0 opposed, 02 not voting. MOTION CARRIED

GEORGE ROGERS/BESTIN BROADBANDS – George Rogers addressed the council about utilizing his services per a engagement letter for a contract for telecommunication services. Discussion.

Motion by Steve Denoyer Jr. to table and refer it to the Economic Development Committee. Seconded by Rodney Bordeaux. Questioned by Ken LaDeaux. Vote: 15 for, 01 opposed, 01 not voting. MOTION CARRIED

ATTORNEY GENERAL – At this time Chairman Colombe stated that he is turning the Chair over to Vice Chairman Wilson and will be leaving the meeting as the Attorney General will be discussing the RST/BBC lawsuit.

The Attorney General Dana Hannah reported on the hearing held this morning on the motion filed by him and Judy Shapiro to withdraw from the lawsuit. The Judge decided that the trial date will be on January 02, 2003. Secondly, the Judge directed Judy Shapiro and Dana Hannah to stay on as the attorneys; and an order was filed today on what was reported. Discussion followed.

Motion by Steve Denoyer Jr. not to accept the Attorney General's resignation. Seconded by Rodney Bordeaux. Questioned by Darrell Marcus. Vote: 12 for, 03 opposed, 02 not voting. MOTION CARRIED

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Motion by Rick Young to present Resolution 2003-294 as emergency legislation. Seconded by Willard Henry. Questioned by Steve Denoyer Jr. Vote: 12 for, 02 opposed, 03 not voting. MOTION CARRIED

Motion by Rick Young to approve Resolution 2003-294 that the Attorney General report to the Tribal Council through the Vice President's office. Seconded by Patsy Valandra. Questioned by Steve Denoyer Jr. Roll call vote requested by Jo Colombe. 14 Voting Yes: Darrell Herman, Steve Denoyer Jr., Heather Burnette, Darrell Marcus, Willard Henry, Patsy Valandra, Darlene Metcalf, Marion Young One Star, Robert Becker, Robert Shot, Rodney Bordeaux, Ken Ladeaux, Russell Eagle Bear, Glen Quick Bear. 01 Opposed: Jo Colombe. 02 Abstained: Wayne Boyd, Rick Young. 03 Absent: Eddie Farmer, Lenard Wright, Cliff Chasing Hawk. MOTION CARRIED

ADJOURNMENT – Motion by Steve Denoyer Jr. to adjourn the meeting. Seconded by Rick Young. Questioned by Darrell Marcus. Vote: 14 for, 0 opposed, 03 not voting. MOTION CARRIED

Vice Chairman Wilson adjourned the meeting at 5:32 p.m.

ATTEST

Gerri Night Pipe, Secretary
Rosebud Sioux Tribe